

Message

From: Westlaw@westlaw.com [Westlaw@westlaw.com]
Sent: 5/31/2019 10:16:05 AM
To: Olszewski, Joshua [olszewski.joshua@epa.gov]
Subject: Docket Track: Texas Regional Haze 5th Cir RP

Westlaw Document

This docket is current through 05/31/2019

Current Date: 5/31/2019

Source: US COURT OF APPEALS FOR THE FIFTH CIRCUIT

Court: US COURT OF APPEALS FOR THE FIFTH CIRCUIT
Case Title: STATE OF TEXAS, ET AL v. EPA, ET AL
Appeal From: ENVIRONMENTAL PROTECTION AGENCY
Panel Assignment: EBC JWE LHS
Date of Hearing: 06/22/2016
Date Filed: 03/01/2016

CASE INFORMATION

Case Number: 16-60118
Fee Status: FEE PAID
Case Type: APPEALS
Case Subtype: AGENCY, PETITION FOR REVIEW

LOWER COURT INFORMATION

District: EPA-1
Lower Court Docket Number: 81 FED. REG. 296
Date COA Received: 02/29/2016

OTHER CASES

Relationship:	Lead Docket:	Member Docket:	Start Date:	End Date:
RELATED		17-60828	12/21/2017	

NAMES**BALANCED ENERGY FOR TEXAS**

Attorney: MARK L. WALTERS
Attorney Phone: 512-236-2000
Firm Name: JACKSON WALKER, L.L.P.
Firm Address: SUITE 1100
 100 CONGRESS AVENUE
 AUSTIN, TX 78701

TEXAS MINING AND RECLAMATION ASSOCIATION

Attorney: MARK L. WALTERS
Attorney Phone: 512-236-2000

DOCKET PROCEEDINGS (6)

Entry #:	Date:	Description:	
	05/30/2019	ATTORNEY NOT PARTICIPATING. MARK L. WALTERS IS DESIGNATED AS INACTIVE IN THIS CASE. REASON: HE IS NO LONGER COUNSEL FOR BALANCED ENERGY FOR TEXAS AND TEXAS MINING AND RECLAMATION ASSOCIATION. [16-60118] (LEF) [ENTERED: 05/30/2019 08:52 AM]	
	05/30/2019	STATUS REPORT FROM RESPONDENTS EPA AND MR. ANDREW WHEELER. DATE OF SERVICE: 05/30/2019 VIA EMAIL - ATTORNEY FOR PETITIONERS: ALLISON, BENNETT, BILLINGS-RAY, CHANDRASEKARAN, FICHTHORN, FLYNN, GIDIERE, JEZOUIT, KELLY, KURLA, MCDONALD, MITCHELL, MOORE, ROMO, SEHA, STREETT, TAGGART, TAYLOR; ATTORNEY FOR INTERVENORS: BECKNER, GERHART, NASI, SAXONHOUSE, SMITH, SOULES, TRSKO; ATTORNEY FOR RESPONDENTS: PINKSTON, TALBERT. THE NEXT STATUS REPORT IS DUE WITHIN 30 DAYS FROM THIS DATE, UNTIL THE MATTER IS RESOLVED. [16-60118] (STEPHANIE J. TALBERT) [ENTERED: 05/30/2019 04:38 PM]	ViewBatch Download
	05/30/2019	APPEARANCE FORM FOR THE COURT'S REVIEW. LEAD COUNSEL? NO. [16-60118] (DANICA LYNN MILIOS) [ENTERED: 05/30/2019 10:44 AM]	ViewBatch Download
	05/29/2019	LETTER FILED BY INTERVENORS BALANCED ENERGY FOR TEXAS AND TEXAS MINING AND RECLAMATION ASSOCIATION REGARDING REMOVAL OF MARK WALTERS AS COUNSEL OF RECORD.. DATE OF SERVICE: 05/29/2019 VIA EMAIL -- ATTORNEY FOR PETITIONERS: ALLISON, BENNETT, BILLINGS-RAY, CHANDRASEKARAN, FICHTHORN, FLYNN, GIDIERE, JEZOUIT, KELLY, KURLA, MCDONALD, MITCHELL, MOORE, ROMO, SEHA, STREETT, TAGGART, TAYLOR; ATTORNEY FOR INTERVENORS: BECKNER, GERHART, NASI, SAXONHOUSE, SMITH, SOULES, TRSKO, WALTERS; ATTORNEY FOR RESPONDENTS: PINKSTON, TALBERT [16-60118] (MARK L. WALTERS-)	ViewBatch Download

[ENTERED: 05/29/2019 02:43 PM] LETTER
 FILED ADVISING MARK WALTERS IS
 NO LONGER COUNSEL FOR
 BALANCED ENERGY FOR TEXAS AND
 TEXAS MINING AND RECLAMATION
 ASSOCIATION. [16-60118] REVIEWED
 AND/OR EDITED - THE ORIGINAL
 TEXT PRIOR TO REVIEW APPEARED
 AS FOLLOWS: LETTER FILED BY
 INTERVENORS BALANCED ENERGY
 FOR TEXAS AND TEXAS MINING AND
 RECLAMATION ASSOCIATION
 REGARDING REMOVAL OF MARK
 WALTERS AS COUNSEL OF RECORD..
 DATE OF SERVICE: 05/29/2019 VIA
 EMAIL - ATTORNEY FOR
 PETITIONERS: ALLISON, BENNETT,
 BILLINGS-RAY, CHANDRASEKARAN,
 FICHTHORN, FLYNN, GIDIERE,
 JEZOUT, KELLY, KURLA,
 MCDONALD, MITCHELL, MOORE,
 ROMO, SEHA, STREETT, TAGGART,
 TAYLOR; ATTORNEY FOR
 INTERVENORS: BECKNER, GERHART,
 NASI, SAXONHOUSE, SMITH, SOULES,
 TRISKO, WALTERS; ATTORNEY FOR
 RESPONDENTS: PINKSTON, TALBERT
 [16-60118] (MARK L. WALTERS)

[ENTERED: 05/29/2019 02:43 PM]

11/28/2016

STATUS REPORT [16-60118] REVIEWED
 AND/OR EDITED - THE ORIGINAL TEXT
 PRIOR TO REVIEW APPEARED AS
 FOLLOWS: STATUS REPORT FROM
 RESPONDENTS MS. GINA MCCARTHY
 AND EPA DATE OF SERVICE: 11/28/2016
 VIA EMAIL - ATTORNEY FOR
 INTERVENORS: BECKNER, GERHART,
 NASI, SAXONHOUSE, SMITH, TRISKO,
 WALTERS, WHITTLE; ATTORNEY FOR
 PETITIONERS: ALLISON, BENNETT,
 BILLINGS-RAY, BUMPERS,
 CHANDRASEKARAN, FICHTHORN,
 FLYNN, GIDIERE, JEZOUT, KELLY,
 KURLA, MCDONALD, MITCHELL,
 MOORE, ROMO, SEHA, STREETT,
 TAGGART, TAYLOR; ATTORNEY FOR
 RESPONDENTS: CARSON, MAGHAMFAR;
 US MAIL - ATTORNEY FOR
 RESPONDENT: MALLORY [16-60118]
 (DAVID AIKEN CARSON) [ENTERED:
 11/28/2016 05:07 PM] STATUS REPORT
 FROM PETITIONERS BIG BROWN
 LIGNITE COMPANY, L.L.C., BIG

ViewBatch Download

BROWN POWER COMPANY, L.L.C.,
 LUMINANT BIG BROWN MINING
 COMPANY, L.L.C., LUMINANT
 GENERATION COMPANY, L.L.C. AND
 LUMINANT MINING COMPANY, L.L.C
 INTERVENORS BALANCED ENERGY
 FOR TEXAS, BAY CITY CHAMBER OF
 COMMERCE & AGRICULTURE,
 BAYTOWN CHAMBER OF COMMERCE,
 CEDAR PARK CHAMBER OF
 COMMERCE, CLEAR LAKE AREA
 CHAMBER OF COMMERCE, LOCAL
 UNION 2337 OF THE INTERNATIONAL
 BROTHERHOOD OF ELECTRICAL
 WORKERS, TEXAS ASSOCIATION OF
 BUSINESS, TEXAS MINING AND
 RECLAMATION ASSOCIATION AND
 PETITIONERS COLETO CREEK
 POWER, L.P., NRG TEXAS POWER,
 L.L.C., NUCOR CORPORATION, PUBLIC
 UTILITY COMMISSION OF TEXAS,
 SOUTHWESTERN PUBLIC SERVICE
 COMPANY, STATE OF TEXAS, TEXAS
 COMMISSION ON ENVIRONMENTAL
 QUALITY AND UTILITY AIR
 REGULATORY GROUP [16-
 60118] REVIEWED AND/OR EDITED -
 THE ORIGINAL TEXT PRIOR TO
 REVIEW APPEARED AS FOLLOWS:
 STATUS REPORT FROM PETITIONERS
 BIG BROWN LIGNITE COMPANY,
 L.L.C., BIG BROWN POWER COMPANY,
 L.L.C., LUMINANT BIG BROWN
 MINING COMPANY, L.L.C., LUMINANT
 GENERATION COMPANY, L.L.C. AND
 LUMINANT MINING COMPANY, L.L.C.
 DATE OF SERVICE: 11/28/2016 VIA
 EMAIL - ATTORNEY FOR
 INTERVENORS: BECKNER, GERHART,
 NASI, SAXONHOUSE, SMITH, TRISKO,
 WALTERS, WHITTLE; ATTORNEY FOR
 PETITIONERS: ALLISON, BENNETT,
 BILLINGS-RAY, BUMPERS,
 CHANDRASEKARAN, FICHTHORN,
 FLYNN, GIDIERE, JEZUIT, KELLY,
 KURLA, MCDONALD, MITCHELL,
 MOORE, ROMO, SEHA, STREETT,
 TAGGART, TAYLOR; ATTORNEY FOR
 RESPONDENTS: CARSON,
 MAGHAMFAR; US MAIL - ATTORNEY
 FOR RESPONDENT: MALLORY [16-
 60118] (PHILIP STEPHEN GIDIERE III)
 [ENTERED: 11/28/2016 11:54 AM]

11/28/2016

STATUS REPORT FROM PETITIONERS ViewBatch Download

~~BIG BROWN LIGNITE COMPANY, L.L.C.,
 BIG BROWN POWER COMPANY, L.L.C.,
 LUMINANT BIG BROWN MINING
 COMPANY, L.L.C., LUMINANT
 GENERATION COMPANY, L.L.C. AND
 LUMINANT MINING COMPANY, L.L.C
 INTERVENORS BALANCED ENERGY FOR
 TEXAS, BAY CITY CHAMBER OF
 COMMERCE & AGRICULTURE,
 BAYTOWN CHAMBER OF COMMERCE,
 CEDAR PARK CHAMBER OF
 COMMERCE, CLEAR LAKE AREA
 CHAMBER OF COMMERCE, LOCAL
 UNION 2337 OF THE INTERNATIONAL
 BROTHERHOOD OF ELECTRICAL
 WORKERS, TEXAS ASSOCIATION OF
 BUSINESS, TEXAS MINING AND
 RECLAMATION ASSOCIATION AND
 PETITIONERS COLETO CREEK POWER,
 L.P., NRG TEXAS POWER, L.L.C., NUCOR
 CORPORATION, PUBLIC UTILITY
 COMMISSION OF TEXAS,
 SOUTHWESTERN PUBLIC SERVICE
 COMPANY, STATE OF TEXAS, TEXAS
 COMMISSION ON ENVIRONMENTAL
 QUALITY AND UTILITY AIR
 REGULATORY GROUP [16-
 60118]REVIEWED AND/OR EDITED --THE
 ORIGINAL TEXT PRIOR TO REVIEW
 APPEARED AS FOLLOWS: STATUS
 REPORT FROM PETITIONERS BIG
 BROWN LIGNITE COMPANY, L.L.C., BIG
 BROWN POWER COMPANY, L.L.C.,
 LUMINANT BIG BROWN MINING
 COMPANY, L.L.C., LUMINANT
 GENERATION COMPANY, L.L.C. AND
 LUMINANT MINING COMPANY, L.L.C.
 DATE OF SERVICE: 11/28/2016 VIA EMAIL
 --ATTORNEY FOR INTERVENORS:
 BECKNER, GERHART, NASI,
 SAXONHOUSE, SMITH, TRSKO,
 WALTERS, WHITTLE; ATTORNEY FOR
 PETITIONERS: ALLISON, BENNETT,
 BILLINGS RAY, BUMPERS,
 CHANDRASEKARAN, FICHTHORN,
 FLYNN, GIDIERE, JEZOUT, KELLY,
 KURLA, MCDONALD, MITCHELL,
 MOORE, ROMO, SEHA, STRETT,
 TAGGART, TAYLOR; ATTORNEY FOR
 RESPONDENTS: CARSON, MAGHAMFAR;
 US MAIL -- ATTORNEY FOR
 RESPONDENT: MALLORY [16-60118]~~

(PHILIP STEPHEN GIDIERE III)
[ENTERED: 11/28/2016 11:54 AM]STATUS
REPORT [16-60118]REVIEWED AND/OR
EDITED - THE ORIGINAL TEXT PRIOR
TO REVIEW APPEARED AS FOLLOWS:
STATUS REPORT FROM
RESPONDENTS MS. GINA MCCARTHY
AND EPA DATE OF SERVICE: 11/28/2016
VIA EMAIL - ATTORNEY FOR
INTERVENORS: BECKNER, GERHART,
NASI, SAXONHOUSE, SMITH, TRISKO,
WALTERS, WHITTLE; ATTORNEY FOR
PETITIONERS: ALLISON, BENNETT,
BILLINGS-RAY, BUMPERS,
CHANDRASEKARAN, FICHTHORN,
FLYNN, GIDIERE, JEZOUTT, KELLY,
KURLA, MCDONALD, MITCHELL,
MOORE, ROMO, SEHA, STREETT,
TAGGART, TAYLOR; ATTORNEY FOR
RESPONDENTS: CARSON,
MAGHAMFAR; US MAIL - ATTORNEY
FOR RESPONDENT: MALLORY [16-
60118] (DAVID AIKEN CARSON)
[ENTERED: 11/28/2016 05:07 PM]

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.

 © 2019 Thomson Reuters. No claim to original U.S. Government Works.